

report it back to the Senate with the recommendation that it do pass and be printed.

BECK, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, the minority of your Committee on Public Health, to whom was referred

S. B. No. 364, A bill to be entitled "An Act to amend Article 7150 of the Revised Statutes of Texas, 1925, providing qualifications prerequisite to exempt from taxation for institutions, except those owned by the State of Texas, the function of which is the care of, or ministrations to sick or infirm humans, by adding thereto another Section, Number 7a, wherein it is provided that this class of institutions to claim exemption from taxation must allow all reputable licensed physicians and/or surgeons to use its facilities."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass and be not printed.

HOLBROOK.

Minutes of Committee Meetings.

Minutes of the Senate Committee on Public Health, Held April 4, 1935.

Regular Meeting.

Present: Beck, Sanderford, Holbrook, Hornsby, Rawlings, Redditt, Small and Davis.

Absent—excused: Oneal, Woodruff and Hughston.

S. B. No. 481 by Regan—was reported favorably.

H. B. No. 356 by Reader—was reported favorably with committee amendments.

S. B. No. 364 by Small was reported favorably with a minority report. Reported by the following vote:

Yeas: Hornsby, Rawlings, Redditt and Small.

Nays: Holbrook. Holbrook gave notice of a minority report.

Paired—Yea, Davis. Absent—Nay, Sanderford.

BECK, Chairman.

Minutes of Committee on State Affairs, Held April 4, 1935.

Regular Meeting.

Present: Pace, Blackert, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Moore, Oneal, Rawlings, Redditt, Regan, Shivers, Small, Stone, Sulak and Collie.

Absent—excused: Fellbaum.

Absent: Martin.

S. R. No. 68 was reported favorably by viva voce vote with the recommendation that it be not printed.

H. B. No. 227 was reported adversely by the following vote:

Yeas: Cotten, Holbrook, Hopkins, Moore, Rawlings, Redditt, Shivers, Small, Stone and Sulak.

Nays: Blackert, DeBerry, Oneal and Collie.

W. S. REEVES, Secretary.

Minutes of the Committee on Finance Held April 4, 1935.

Special Meeting.

Present: Redditt, Beck, Duggan, Hill, Holbrook, Hopkins, Hornsby, Neal, Oneal, Poage, Regan, Sanderford, Small, Stone Sulak, Van Zandt and Woodruff.

Absent—excused: Mughston, Martin, Rawlings and Burns.

S. B. Nos. 471, 482, 497, 751 and 105 were reported favorably.

S. B. No. 369 was reported adversely with favorable committee substitute.

H. B. No. 327 was reported favorably with committee amendments.

NOEL K. BROWN, Secretary.

FORTY-SEVENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
April 8, 1935.

The Senate met at 9:45 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 782.

Pending business was H. B. No. 782, a motion to table an amendment by Senator Woodruff, pending.

S. O. R. No. 80.

Senator Oneal was recognized to send up the following resolution:

Whereas, Senate Bill No. 324 has been passed by both Houses of the Legislature and is now in the Governor's Office, but has not been signed by the Governor; and,

Whereas, A mistake was inadvertently made in Section two of said bill which should be corrected; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Governor be requested to return Senate Bill No. 324 to the Legislature for correction.

ONEAL.

Read.

Senator Oneal asked unanimous consent that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 30 be taken up and considered at this time.

Granted.

S. C. R. No. 30 was adopted by viva voce vote.

Point of "No Quorum."

Senator Woodruff raised the point of "no quorum."

The roll call disclosed a quorum, the following Senators being present:

Present.

Beck.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent.

Blackert.	Rawlings.
Burns.	Shivers.
Hopkins.	

Absent—Excused.

Fellbaum.	Sulak.
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House Bill No. 782.

Senator Woodruff was recognized to discuss his amendment.

Senator Woodruff withdrew his amendment.

Senator Martin sent up the following amendment:

Amend H. B. No. 782 by adding at the end of line 7, page 3, the following:

And the commission may at any time cause any oil held in storage by any person, firm or corporation to be tendered to the public for refining purposes and it is hereby made the duty of said commission to so require such person, firm or corporation to so tender any such oil so stored, when the price of crude oil shall be as much as \$1.50 per barrel, and there is a demand for the same.

MARTIN.

Read.

Motion to Table.

Senator Small moved to table the amendment by Senator Martin.

The motion to table prevailed by the following vote:

Yeas—16.

Beck.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
Duggan.	Regan.
Hornsby.	Sanderford.
Moore.	Small.
Oneal.	Van Zandt.

Nays—9.

Blackert.	Martin.
Burns.	Neal.
DeBerry.	Westerfeld.
Hill.	Woodruff.
Holbrook.	

Absent.

Hopkins.	Stone.
Shivers.	Sulak.

Absent—Excused.

Fellbaum.

Senator Rawlings sent up the following amendment:

Amend H. B. No. 782, page 7, line 7, by striking out the words:

"in Travis County, or"; also by striking out same words in line 28, page 7.

RAWLINGS.

Read.

Motion to Table.

Senator Hornsby moved to table the amendment.

The motion prevailed by the following vote:

Yeas—15.

Beck.	Poage.
Collie.	Redditt.
Davis.	Regan.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Stone.
Neal.	Woodruff.
Oneal.	

Nays—10.

Blackert.	Martin.
Burns.	Pace.
DeBerry.	Rawlings.
Hill.	Van Zandt.
Holbrook.	Westerfeld.

Absent.

Cotten.	Shivers
Duggan.	

Absent—Excused.

Fellbaum.	Sulak.
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Senator DeBerry sent up the following amendment:

Amend H. B. No. 782 by striking out subsection (j) of Section 2.

DeBERRY.

Read and pending.

At Ease.

Senator Rawlings asked unanimous consent that the Senate stand at ease subject to the call of the Chair, in order that the Senate might repair to the House to hear an address by the Hon. Carl Crowley.

Unanimous consent was granted.

Senate Called to Order.

The Chair, President Pro Tem. K. M. Regan, called the Senate to order at 11:25 a. m.

House Bill No. 782.

Senator DeBerry had the floor on the pending amendment.

Motion to Table.

Senator Small moved to table the pending amendment by Senator DeBerry.

The motion to table prevailed by the following vote:

Yeas—19.

Beck.	Oneal.
Burns.	Poage.
Collie.	Rawlings.
Davis.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hopkins.	Small.
Hornsby.	Stone.
Moore.	Van Zandt.
Neal.	

Nays—6.

Blackert.	Martin.
DeBerry.	Westerfeld.
Hill.	Woodruff.

Absent.

Cotten.	Shivers.
Pace.	

Absent—Excused.

Fellbaum.	Sulak.
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Motion to Recess.

Senator Hill at 12 o'clock p. m., moved that the Senate recess until 2 o'clock p. m.

Motion to Adjourn.

Senator Blackert moved that the Senate adjourn until 10 o'clock a. m., Tuesday.

The motion to adjourn lost by viva voce vote.

The motion to recess prevailed by viva voce vote.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

Senate Bill No. 311.

Bills Set for Special Order.

Senator Pace asked unanimous consent to set for special order on Monday of next week after the morning call S. B. No. 311.

Unanimous consent was granted.

Senate Bill No. 470.

Senator Hopkins asked unanimous consent to set for special order on Tuesday of next week after the morning call, S. B. No. 470.

Unanimous consent was granted.

Senate Bill No. 333.

Senator Hill asked unanimous consent to set for special order S. B. No. 333, Tuesday after the disposition of S. B. No. 470.

Unanimous consent was granted.

Senate Bill No. 431.

Senator Cotten asked unanimous consent to set for special order, S. B. No. 431, Friday after the morning call.

Unanimous consent was granted.

Point of "No Quorum."

Senator Hornsby raised the point of no quorum.

The roll call disclosed "no quorum":

Present.

Beck.	Martin.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Shivers.
Duggan.	Small.
Hill.	Stone.
Hopkins.	Van Zandt.
Hornsby.	

Absent.

Davis.	Regan.
Holbrook.	Sanderford.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Absent—Excused.

Fellbaum.	Sulak.
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Call of the Senate.

Senator Beck moved that a call of the Senate be ordered to procure a quorum.

The motion was seconded.

The motion prevailed by viva voce vote.

Called to Order.

The Senate was called at 2:15 o'clock p. m., a quorum being present.

Message from the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Office,

Austin, Texas, April 8, 1935.

To the Senate of the Forty-fourth Legislature:

I ask the advice, consent and confirmation of the Senate to the following appointments:

To be members of the State Planning Board:

To represent Labor: Wallace Rielly, of Dallas, Dallas County (2 year term);

Identified with Agriculture: R. C. Hopping, of Lubbock, Lubbock County (2 year term);

Four year term: Hull Youngblood, of San Antonio, Bexar County.

To be Commissioners of Pilots for Galveston and Texas City (These appointments made on recommendation of State Senator and Representatives as provided by statute):

Mr. J. H. Langben, Galveston, Galveston County;

Mr. Peter M. Gengler, Galveston, Galveston County;

Mr. E. V. Rhodes, Texas City, Galveston County;

Mr. A. W. Purdy, Galveston, Galveston County;

Mr. Robert I. Cohen, Jr., Galveston, Galveston County.

To be member of Board of Regents of State Teachers Colleges:

(To succeed Ward Templeman, deceased) J. H. Powell, of Navasota, Grimes County, for a term expiring January, 1939.

Respectfully submitted,

JAMES V. ALLRED,

Governor of Texas.

Read and referred to the Committee on Governor's Nominations.

Messages from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives, Austin, Texas, April 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 888, A bill to be entitled "An Act providing for the relief of

Eagle Pass Independent School District of Maverick County, Texas, in order to aid the school district in accommodating the large growth of population due to the development of Quemado Valley Irrigation Settlement which covers a portion of the Eagle Pass Independent School District of 1934; making appropriation out of the State Treasury of seven thousand dollars (\$7,000) to said district for said purposes, and declaring an emergency."

H. J. R. No. 39, Proposing an amendment to Section 15 of Article I of the Constitution of Texas, and providing that the Legislature may authorize the commitment of insane persons, idiots, lunatics and/or epileptics without the necessity of a trial by jury.

S. C. R. No. 30, Requesting the return of S. B. No. 324 from the Governor's Office for correction.

H. C. R. No. 74, Concerning the disposition of confiscated bonded liquors by the Board of Control for the use of State eleemosynary institutions.

H. C. R. No. 75, Concerning the appointment of a committee to choose a Poet Laureate for the State of Texas.

The House has concurred in Senate amendments to H. B. No. 402 by a vote of 115 yeas and 5 nays.

The House has adopted the Conference Committee report on H. B. No. 494 by a vote of 110 yeas and 11 nays.

The House has refused to concur in Senate amendments to H. B. No. 444 and requests the Senate for the appointment of a conference committee to adjust the differences between the two houses. The following are appointed as conferees on the part of the House:

Celaya, Reader, Leonard, Jackson and Quinn.

The House has adopted the Conference Committee report on H. B. No. 763 by a vote of 84 yeas and 30 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bill and Resolutions Referred.

H. C. R. No. 65, referred to the Committee on Agriculture.

H. C. R. No. 23, referred to the Committee on Civil Jurisprudence.

H. C. R. No. 55, referred to the Committee on Public Land and Land Office.

H. B. No. 888, referred to the Committee on Finance.

Senator Excused.

Senator Sulak was excused on account of important business on motion of Senator Van Zandt.

Bills and Resolutions Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice, of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

S. J. R. No. 24.

H. C. R. No. 71.

H. B. No. 251.

H. B. No. 402.

House Bill No. 782.

Senator Hill sent up the following amendment:

Amend H. B. No. 782, Sec. 2, paragraph (j), line 2, by changing "may" to "shall."

HILL.

Read.

Motion to Table.

Senator Small moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—16.

Beck.	Oneal.
Burns.	Poage.
Collie.	Rawlings.
Duggan.	Redditt.
Holbrook.	Sanderford.
Hornsby.	Small.
Moore.	Stone.
Neal.	Van Zandt.

Nays—8.

Blackert.	Martin.
Cotten.	Pace.
DeBerry.	Westerfeld.
Hill.	Woodruff.

Absent.

Davis.	Regan.
Hopkins.	Shivers.

Absent—Excused.

Fellbaum. Sulak.

Senator Hill sent up the following amendment:

Amend H. B. No. 782, Sec. 2, page 3, line 5 by substituting the word "shall" for "may."

HILL.

Read.

Motion to Table.

Senator Moore moved to table the amendment.

The motion prevailed by the following vote:

Yeas—14.

Beck.	Oneal.
Davis.	Poage.
Duggan.	Rawlings.
Holbrook.	Regan.
Hornsby.	Sanderford.
Moore.	Small.
Neal.	Stone.

Nays—9.

Blackert.	Martin.
Burns.	Pace.
Cotten.	Westerfeld.
DeBerry.	Woodruff.
Hill.	

Absent.

Collie.	Shivers.
Hopkins.	Van Zandt.
Redditt.	

Absent—Excused.

Fellbaum. Sulak.

Senator Hill sent up the following amendment:

Amend H. B. No. 782, page 3, line 7, by adding after the word gas (a semicolon): "and coincident with the promulgation of such rules, regulations or orders file for public inspection a statement of their findings of fact as to the existence or pendency of any of the foregoing conditions constituting waste."

HILL.

Read and pending.

Previous Question.

Senator Sanderford moved the previous question be ordered on the pending amendment and the engrossment of the bill.

The motion was seconded.
The motion lost by the following vote:

Yeas—6.

Davis.	Moore.
Duggan.	Neal.
Hornsby.	Sanderford.

Nays—18.

Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Small.
Hill.	Stone.
Holbrook.	Van Zandt.
Martin.	Westerfeld.
Oneal.	Woodruff.

Absent.

Beck.	Regan.
Hopkins.	Shivers.

Absent—Excused.

Fellbaum. Sulak.

House Bill No. 782.

Senator Hill had the floor on his pending amendment.

Motion to Table.

Senator Small moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—20.

Beck.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
Duggan.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Moore.	Small.
Neal.	Stone.
Oneal.	Van Zandt.

Nays—8.

Blackert.	Hill.
Burns.	Martin.
Collie.	Westerfeld.
DeBerry.	Woodruff.

Absent—Excused.

Fellbaum. Sulak.

Senator Hill sent up the following amendment:

Amend H. B. No. 782, by adding a new paragraph on page 3 between lines 10 and 11 to read as follows:

"In determining market demand for crude oil, and in allocating production for the various fields or local areas, the commission shall in no event allocate an amount less than the market demand, nor shall the commission allocate to Texas or any area less amount than its pro rata share, based on potential production of the State and/or area in comparison with other states and/or areas."

HILL.

Read and pending.

Senator Stone moved the previous question on pending amendments and the engrossment of the bill.

The motion was seconded.

The motion lost by viva voce vote.

House Bill No. 782.

Motion to Table.

Senator Small moved to table the pending amendment.

Motion to table pending.

Request to Suspend Regular Order.

Senator Woodruff asked unanimous consent to suspend the regular order of business and to take up H. B. No. 464 in order to lay it on the table subject to call.

There was objection.

Senator Woodruff moved to suspend the regular order of business and take up H. B. No. 464 in order to lay it on the table subject to call.

Point of Order.

Senator Small raised the Point of Order that the motion was out of order because there is a motion to table pending.

The Chair, Senator Holbrook, presiding, sustained the Point of Order.

House Bill No. 782.

The motion to table the pending amendment prevailed by viva voce vote.

Motion to Lay on The Table
Subject to Call.

Senator Woodruff moved to lay on the table subject to call, H. B. No. 782.

The motion lost by the following vote:

Yeas—7.

Cotten.
Hill.
Pace.
Poage.

Van Zandt.
Westerfeld.
Woodruff.

Nays—20.

Beck.
Blackert.
Burns.
Collie.
Davis.
Duggan.
Holbrook.
Hopkins.
Hornsby.
Moore.

Neal.
Oneal.
Rawlings.
Redditt.
Regan.
Sanderford.
Shivers.
Small.
Stone.
Sulak.

Absent.

DeBerry.

Martin.

Absent—Excused.

Fellbaum.

Motion to Reconsider.

Senator Hill asked unanimous consent to reconsider the vote by which his last amendment was tabled.

Unanimous consent was granted.

Motion to Table.

Senator Small moved to table the amendment by Senator Hill.

The motion to table prevailed by the following vote:

Yeas—22.

Beck.
Blackert.
Burns.
Collie.
Cotten.
Davis.
Duggan.
Holbrook.
Hornsby.
Moore.
Neal.

Oneal.
Pace.
Poage.
Rawlings.
Redditt.
Sanderford.
Shivers.
Small.
Stone.
Sulak.
Westerfeld.

Nays—4.

Hill.
Hopkins.

Van Zandt.
Woodruff.

Absent.

Martin.

Absent—Excused.

Fellbaum.

(Pair Recorded.)

Senator Regan (present) who would vote yea, with Senator DeBerry (absent) who would vote nay.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Small, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 782 was put on its third reading and final passage by the following vote:

Yeas—25.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	

Nays—2.

Hill.	Woodruff.
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Absent.

Martin.

Absent—Excused.

DeBerry.	Fellbaum.
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Read third time and finally passed by the following vote:

Yas—24.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.

Nays—3.

Hill.	Woodruff.
Westerfeld.	

Absent—Excused.

Fellbaum.

(Pair Recorded.)

Senator Regan (present) who would vote yea, with Senator DeBerry (absent) who would vote nay.

House Bill No. 327.

The Chair laid before the Senate on its second reading the following bill which had been set for special order immediately after the disposition of H. B. No. 782:

By Mr. Russell, et al.:

H. B. No. 327, A bill to be entitled "An Act appropriating five million dollars (\$5,000,000) per year, or so much thereof as may be necessary for the next biennium beginning September 1, 1935, and ending August 31, 1937, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State, including sufficient funds to match Federal funds appropriated for the purpose of conducting vocational agriculture, home economics, trades and industries, general rehabilitation and rehabilitation for crippled children; attaching conditions, regulations and limitations relative thereto, etc., and declaring an emergency."

Read the second time and pending.

Senate Bill No. 487.

Senator Hill received unanimous consent to have his name withdrawn as one of the signers of S. B. No. 487.

S. J. R. No. 3.

Senator Moore moved that the Senate do not concur in House amendments to S. J. R. No. 3 and that a conference committee be appointed to adjust the differences between the two Houses.

The motion prevailed by viva voce vote.

House Bill No. 444.

Senator Shivers moved that the Senate grant the request of the House for the appointment of a conference committee on H. B. No. 444 to adjust the differences between the two Houses.

The motion prevailed by the following vote:

Yeas—26.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—1.

Sulak.

Present—Not Voting.

Martin.

Absent—Excused.

DeBerry. Fellbaum.

Conference Committee Appointed.

The Chair announced as conferees on H. B. No. 444, on the part of the Senate:

Senators Shivers, Beck, Neal, Burns and Hopkins.

S. J. R. No. 3.

Motion to Reconsider.

Senator Van Zandt moved to reconsider the vote by which Senator Moore's motion for the appointment of a conference committee on S. J. R. No. 3 prevailed.

The motion to reconsider prevailed by the following vote:

Yeas—15.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Davis.	Redditt.
Hill.	Van Zandt.
Hornsby.	Woodruff.
Martin.	

Nays—13.

Cotten.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Moore.	Sulak.
Rawlings.	Westerfeld.
Regan.	

Absent—Excused.

DeBerry. Fellbaum.

Senator Moore renewed his motion that the Senate refuse to concur in House amendments to S. J. R. No. 3 and that a conference committee be appointed to adjust the differences between the two Houses.

Motion to Concur.

Senator Hill moved as a substitute that the Senate do concur in House amendments to S. J. R. No. 3.

Motions pending.

House Bill No. 494.

Senator Redditt received unanimous consent to send up the following conference report which was privileged:

Committee Room,

Austin, Texas, April 5, 1935.

Hon. Walter F. Woodul, President of the Senate,

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses on H. B. No. 494, making appropriations for the support and maintenance of summer schools at the State institutions of higher learning, do recommend that the bill be passed in form, text and substance as submitted herewith.

Respectfully submitted,

REDDITT,
HORNSBY,
NEAL,
SANDERFORD,
SULAK,

On the part of the Senate.

TILLERY,
BRADBURY,
DUNLAP
of Hays,
GLASS,
TARWATER,

On the part of House.

H. B. No. 494.

A BILL

To Be Entitled

An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1935, at the several State institutions of higher

learning in the State of Texas, authorizing the expenditure by said institutions of certain additional amounts from fees collected from summer school students, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The several sums of money named herein, or so much thereof as may be necessary, are hereby appropriated for the support and maintenance of summer schools at each of the institutions indicated during the summer of the year 1935, as follows:

University of Texas	\$ 49,066.50
Texas Agricultural and Mechanical College.....	11,980.50
John Tarleton Agricultural College	7,364.00
North Texas Agricultural College, Junior.....	3,010.00
Prairie View State Normal and Industrial College	5,000.00
College of Industrial Arts	11,245.50
Texas College of Arts and Industries	9,555.00
Texas Technological College	20,685.00
East Texas State Teachers College	26,355.00
North Texas State Teachers College	34,366.50
Sam Houston State Teachers College	17,651.90
Southwest Texas State Teachers College	23,877.00
Stephen F. Austin State Teachers College	15,177.75
Sul Ross State Teachers College	10,290.00
West Texas State Teachers College	14,798.00
College of Mines and Metallurgy	6,538.00
Total.....	\$266,960.65

Sec. 2. Each of the institutions named in Section 1, of this Act, is hereby authorized to expend for the support and maintenance of summer schools at said institutions, in addition to the amounts appropriated herein, an additional amount from fees equal to Ten Dollars (\$10) per student per six (6) weeks term, or the equivalent of six (6) weeks term, plus all laboratory fees collected from said students.

Sec. 3. Each of the institutions named in Section 1, of this Act, is

hereby authorized to charge and collect for summer school matriculation or tuition fees the sum of Ten Dollars (\$10) per six (6) weeks term, or equivalent of six (6) weeks term, and said amounts so charged and collected are hereby appropriated for the support and maintenance of said summer school.

Sec. 4. The admission, matriculation, or tuition fees for the summer school sessions for each of the aforesaid institutions is hereby fixed at the sum of Ten Dollars (\$10) per student per six (6) weeks term, or the equivalent of a six (6) weeks term.

Sec. 5. The fact that no provision has been made previously for summer schools at the institutions named in this Act creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Acts shall take effect and be in force from and after its passage, and it is so enacted.

The conference report was adopted by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—1.

Collie.

Absent.

DeBerry.

Absent—Excused.

Fellbaum.

S. C. R. No. 31.

Senator Collie sent up the following resolution:

Be it resolved by the Senate of Texas, the House of Representatives concurring, That Hon. W. R. Chapman, Judge of the 104th Judicial District Court of Texas, be, and he is hereby granted permission to be absent from the State of Texas at such intervals and for such time as he may see fit and proper during the years 1935 and 1936, taking into consideration the condition of the docket of said court.

COLLIE.

Senator Collie asked unanimous consent that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 31 be taken up and considered at this time.

Granted.

S. C. R. No. 31 was adopted by viva voce vote.

Motion to Recess.

Senator Van Zandt at 4:15 o'clock p. m., moved that the Senate recess until 7:30 o'clock tonight.

Motion pending.

Motion to Suspend Rule.

Senator Oneal received unanimous consent to suspend the regular order of business and moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

DeBerry. Fellbaum.

Senate Bill No. 489.

By Senator Oneal:

S. B. No. 489, A bill to be entitled

"An Act to provide rules of practice and procedure in district courts sitting for all of their terms or for only some of their terms in a county where three district courts, with both civil and criminal jurisdiction, sit and have jurisdiction, none of which has more than four terms a year, and one of which sits and has jurisdiction in not less than two other counties, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 464.

Senator Woodruff asked unanimous consent that the Senate take up out of its regular order S. B. No. 464 for the purpose of laying it on the table subject to call.

There was objection.

Senator Woodruff moved to take up out of regular order S. B. No. 464 so as to lay it on the table subject to call.

Motion pending.

Point of Order.

Senator Moore raised a point of order that Senator Woodruff's motion was out of order as a motion to recess was pending.

The Chair, Senator Holbrook presiding, overruled the point of order stating that when Senator Van Zandt yielded the floor, the motion was automatically withdrawn.

Senate Bill No. 361.

Senator Redditt moved that the Senate do not concur in House amendments to S. B. No. 361 and that a conference committee be appointed to adjust the differences between the two Houses.

The motion prevailed by viva voce vote.

Conferees Appointed.

The Chair, Senator Holbrook presiding, announced the following conferees on the part of the Senate on S. B. No. 361:

Senators Redditt, Hill, Burns, Cotten and Pace.

Motion to Suspend Rule.

Senator Hornsby received unanimous consent to suspend the regular

order of business and moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Present—Not Voting.

Martin.

Absent—Excused.

DeBerry. Fellbaum.

Senate Bill No. 490.

By Senator Hornsby:

S. B. No. 490, A bill to be entitled "An Act amending Article 6674K, of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 491.

Senator Neal sent up the following local bill:

By Senator Neal:

S. B. No. 491, A bill to be entitled "An Act changing the time of holding the terms of the District Court in the 49th Judicial District, and providing that all processes and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in counties composing said district, together with jurors heretofore selected, are valid and returnable to the first term of such court, after this Act takes effect, and providing for the continuation of the existing district courts in said counties in session when this Act takes effect, to the

end of their terms; repealing all conflicting laws; fixing the effective date of this Act, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 464.

The question recurred on the pending motion of Senator Woodruff to take up S. B. No. 464.

The motion prevailed by the following vote:

Yeas—16.

Beck.	Pace.
Blackert.	Poage.
Collie.	Rawlings.
Cotten.	Stone.
Hill.	Sulak.
Hopkins.	Van Zandt.
Martin.	Westerfeld.
Oneal.	Woodruff.

Nays—8.

Duggan.	Neal.
Holbrook.	Sanderford.
Hornsby.	Shivers.
Moore.	Small.

Present—Not Voting.

Davis.

Absent.

Burns. Regan.
Redditt.

Absent—Excused.

DeBerry. Fellbaum.

Laid on the Table Subject to Call.

S. B. No. 464 was read the second time and laid on the table subject to call on motion of Senator Woodruff.

Recess.

On motion of Senator Pace, the Senate recessed at 4:33 o'clock until 8 p. m.

FORTY-SEVENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
April 8, 1935.

After Recess.

The Senate met at 8:00 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.